

UNITED STATES DISTRICT COURT OF NEW YORK
SOUTHERN DISTRICT OF NEW YORK
-----X
LUMIRAM ELECTRIC CORPORATION,

Plaintiff,

-against-
SELECTIVE INSURANCE COMPANY,

Defendant.
-----X

DISCLOSURE OF
INTERESTED PARTIES

Civil Action No.
6189/08

CORPORATE DISCLOSURE STATEMENT OF
SELECTIVE INSURANCE COMPANY OF THE SOUTHEAST

COMES NOW Defendant, SELECTIVE INSURANCE COMPANY OF NEW YORK ("Selective"), a Write-Your-Own ("WYO") Program carrier participating in the U.S. Government's National Flood Insurance Program ("NFIP") pursuant to the National Flood Insurance Act of 1968, as amended (the "NFIA") (42 U.S.C. § 4001 et seq.), appearing herein in its "fiduciary"¹ capacity as the "fiscal agent of the United States,"² for the purpose of filing this Certificate of Corporate Disclosure in conformity with Fed.R.Civ.P. 7.1.

Defendant, Selective Insurance Company, is a wholly owned subsidiary of Selective Insurance Group, Inc.

The following affiliates are each wholly owned by Selective Insurance Group, Inc.:

Niagara Exchange Corporation, the parent corporation of Selective Insurance Company of New York;
Selective Insurance Company of the Southeast;
Selective Insurance Company of New England;

¹ 44 C.F.R. §62.23(f).

² 42 U.S.C. §4071(a)(1); *Gowland v. Aetna*, 143 F.3d 951, 953 (5th Cir. 1998).

Selective Insurance Company of South Carolina;

Selective Way Insurance Company.

Selective hereby discloses that the true party with a financial interest in the outcome of this matter (and the ultimate payor of any claim in this matter) will be the U.S. Treasury, and not Selective Insurance Company. See *Van Holt v. Liberty Mutual Fire Insurance Company*, 163 F.3d 161 at 166-167, (3rd Cir., 1998) ("Although a WYO company collects premiums and disburses claims, only FEMA bears the risk under the flood insurance program. Thus, a lawsuit against a WYO company is, in reality, a suit against FEMA."). See also the Arrangement between FEMA and the WYO Companies, found at 44 C.F.R. part 62, Appendix A, Article 2, Section F (which states that payment of Flood Insurance Claims by the Company shall be binding upon the Federal Insurance Administration).

Respectfully submitted,

SMITH MAZURE DIRECTOR WILKINS
YOUNG & YAGERMAN, P.C.

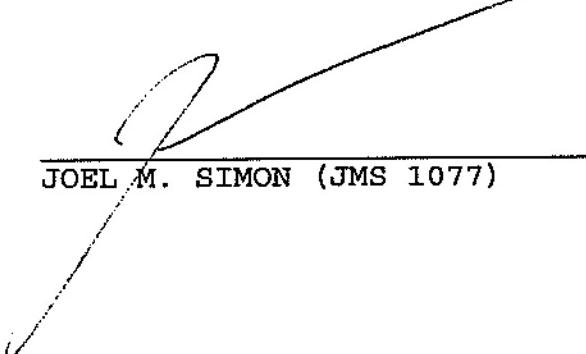
By:

JOEL M. SIMON
For the Firm
Attorneys for Defendant
Selective Insurance Company
111 John Street, 20th Floor
New York, New York 10038-3198
(212) 964-7400
Our File No. SFI-00106/JMS

Dated: New York, New York
August 15, 2008.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing CORPORATE DISCLOSURE STATEMENT OF SELECTIVE INSURANCE COMPANY OF THE SOUTHEAST was mailed by via First Class Mail this 15th day of August, 2008, to all counsel of record as indicated below.


JOEL M. SIMON (JMS 1077)

SERVICE LIST

MCDONNELL & ADELS, P.C.
5 Dakota Drive, Suite 107
Lake Success, NY 11042
(516) 328-3500
Attorney for Plaintiff
Lumiram Electric Corporation
File: Please Advise

UNITED STATES DISTRICT COURT OF NEW YORK
SOUTHERN DISTRICT OF NEW YORK
X

LUMIRAM ELECTRIC CORPORATION,

Plaintiff,

-against-

SELECTIVE INSURANCE COMPANY,

Defendant.

X

DISCLOSURE OF INTERESTED PARTIES

SMITH MAZURE DIRECTOR WILKINS
YOUNG & YAGERMAN, P.C.
Attorneys for Defendant
Selective Insurance Company
111 John Street, 20th Floor
New York, New York 10038-3198
(212) 964-7400
SFI-00106/JMS

CERTIFICATION PURSUANT TO 22 N.Y.C.R.R. §130-1.1a

hereby certifies that, pursuant to 22 N.Y.C.R.R. §130-1.1a, the foregoing is not frivolous nor frivolously presented.

Dated: New York, New York

PLEASE TAKE

NOTICE

- that the within is a true copy of a entered in the office of the clerk of the within named Court on .
- that a of which the within is a true copy will be presented for settlement to the Hon. one of the judges of the within named Court at , on at 9:30 a.m.

SMITH MAZURE DIRECTOR WILKINS YOUNG &
YAGERMAN, P.C.
Attorneys for Defendant
Selective Insurance Company
111 John Street, 20th Floor
New York, New York 10038-3198
(212) 964-7400
Our File No. SFI-00106/JMS

JMS/jms